

Standard Right-to-Know Law Request Form

Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it is required should an appeal be necessary. You have 15 business days to appeal after a request is denied or deemed denied.

SUBMITTED TO AGENCY NAME: Borough of Bath (Attn: AORO)

Date of Request: November 3, 2023

Submitted via: Email

PERSON MAKING REQUEST:

Name: Michael Long

Company (if applicable):

Mailing Address: [REDACTED]

Email: [REDACTED]

City: Bath

State: PA

Zip: 18014

Telephone: [REDACTED]

Fax:

How do you prefer to be contacted if the agency has questions? Telephone

RECORDS REQUESTED: *Be clear and concise. Provide as much specific detail as possible, ideally including subject matter, time frame, and type of record or party names. Use additional sheets if necessary. RTKL request should seek records, not ask questions. Requesters are not required to explain why the records are sought or the intended use of the records unless otherwise required by law.*

NARRATIVE

Records request as explained in attachment

DO YOU WANT COPIES? Yes, electronic copies preferred if available.

Do you want certified copies? Yes (may be subject to additional costs).

RTKL Requests may require payment or prepayment of fees. See the Official RTKL Fee Schedule for more details.

Please notify me if fees associated with this request will be more than \$100? Yes

Please notify me if fees associated with this request will be more than (. . .)? Please specify for the Agency

ITEMS BELOW THIS SECTION FOR AGENCY USE ONLY

Tracking:

Date Received:

Response Due (5 Bus. Days):

30-Day Extension Required?:

If Yes, Final Due Date:

Actual Response Date:

Request was?:

Cost to Requestor:

Appropriate third parties notified and given an opportunity to object to the release of requested records?

NOTE: In most cases, a completed RTKL request form is public record.

More information about the RTKL is available at <https://www.openrecords.pa.gov>

Form updated Nov. 27, 2018

November 3, 2023

Borough of Bath
121 South Walnut Street
Bath, PA 18014

Re: Pennsylvania Right-to-Know Law Request

To Borough of Bath AORO:

Pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-67.3104, I respectfully request copies of the following public records:

1. Bank Statements and Reconciliations (Section 901):

Complete and unredacted monthly bank statements for the following accounts and date ranges:

- BOROUGH OF BATH - OPERATING "GENERAL" FUND, Account #100.00 • CASH-UNRESTRICTED (3107), January 2019 through April 2023 (Municipal Records Act, Category GL-01, retain 7 years).
- MSW & RECY #2892, April 2022 through April 2023 (Municipal Records Act, Category GL-01, retain 7 years).

If any requested bank statements cannot be located, I request that the Borough obtain the statements directly from the bank(s) pursuant to Section 901. If the bank(s) do not have the records, I request documentation of the Borough's efforts to obtain them, as required under Section 901.

- Complete and unredacted monthly reconciliations prepared in Quickbooks for the same accounts and periods (Municipal Records Act, Category GL-03, retain 7 years).
- If any requested reconciliations cannot be located, I request documentation of the Borough's efforts to obtain them from its financial management system pursuant to Section 901.

1. Accounts Receivable Records (Section 901):

Complete and unredacted accounts receivable files and ledgers documenting monies owed to and received by the Borough, January 2019 through April 2023. Records

should include dates, departments/funds, amounts, and totals (Municipal Records Act, Category AC-01, retain 7 years).

- If any requested records cannot be located, I request documentation of the Borough's efforts to obtain them from its financial system pursuant to Section 901.

1. Distribution Summaries - Treasurer's Reports (Section 901):

I acknowledge the Borough's previous response regarding my request for treasurer's reports, which noted that many monthly reports over the period of 2016-2022 and Q1 2023 could not be located.

Specifically, the Borough's response indicated that no monthly treasurer's reports were provided for the following months, which fall within the legally required 3 year retention period:

January 2020
February 2020
March 2020
April 2020
May 2020
June 2020
October 2020
November 2020
December 2020
January 2021
February 2021
March 2021
April 2021
May 2021
June 2021
July 2021
August 2021
September 2021
October 2021
November 2021
December 2021
January 2022
February 2022
March 2022
April 2022

May 2022
June 2022
July 2022
August 2022
September 2022
October 2022
December 2022
January 2023
April 2023

Under the Municipal Records Act, monthly treasurer's reports must be retained for 3 years (Category GL-04). As such, I am requesting that the Borough reproduce the missing monthly reports for the above months using the data in its financial management system (QuickBooks).

Reproducing required monthly reports that were not provided initially would not constitute creating new records, but rather accessing existing data as obliged under records retention laws.

Please provide the requested missing monthly treasurer's reports within 5 business days. I am willing to pay reasonable fees associated with reproducing these records. Please advise if estimated costs will exceed \$100.

1. Investment Records (Section 901):

- Complete and unredacted investment records related to the Arcadia Developer Donation CD, January 2019 through present, including amount, term, and interest rate (Municipal Records Act, Category FN-17, retain 6 years after cancellation).
- If any requested records cannot be located, I request documentation of the Borough's efforts to obtain them from its financial system and the relevant financial institution(s) pursuant to Section 901.

1. Records Disposal Forms (Section 901):

- Complete and unredacted Municipal Records Disposal Request Forms submitted to the Pennsylvania Historical and Museum Commission, January 2019 through present (Municipal Records Act, Category GS-14, retain permanently).

- If any requested forms cannot be located, I request documentation of the Borough's efforts to obtain them from its records management system pursuant to Section 901.

1. Prior RTKL Requests, Responses, and Appeals (Section 301):

- Copies of any and all Right-to-Know requests submitted to the Borough from August 1, 2019 through October 31, 2019.
- Copies of all records provided by the Borough in response to each request.
- Copies of all final determinations issued by the Office of Open Records relating to these requests.
- Any correspondence between the Borough and the requesters related to the requests, responses, appeals, or provided records.
- Relevant details including dates, names, descriptions, fees charged, etc.
- If any responsive records cannot be located, I request documentation of the Borough's efforts to obtain them pursuant to Section 901.

1. Documentation of Precontractual Concerns Expressed by FRS:

- All documents, memoranda, and correspondence wherein FRS, the third-party bookkeeping entity, articulated concerns, issues, or potential liabilities pertaining to the Borough's financial management or accounting practices prior to formalizing a contractual relationship with the Borough. This includes, but is not limited to, documentation where FRS delineated conditions, caveats, or disclaimers to preclude blame or responsibility concerning the identified concerns.

1. Contractual Provisions Relating to Identified Concerns:

- Relevant sections of the contract between the Borough and FRS encompassing disclaimers, limitations of liability, or other clauses relating to the concerns elucidated by FRS in the precontractual phase.

1. Correspondence Pertaining to FRS's Concerns:

- Any correspondence exchanged between the Borough and FRS discussing the concerns raised by FRS in the precontractual phase, inclusive of any

responses or acknowledgements rendered by the Borough concerning these concerns.

I request that the aforementioned records be furnished within 5 business days as stipulated under Section 901 of the Right-to-Know Law. I am amenable to bearing reasonable duplication fees up to \$100. Please provide a preliminary estimate should the cost surpass this amount.

Certified Copies (Section 901):

To ensure completeness and prevent improper redaction, I am requesting certified copies of all records disclosed in response to this request.

Chain of Custody Documentation (Section 901):

To account for the lifecycle of the requested records, I am requesting documentation including:

- Name, position, and signature of the custodian(s), certifying the records.
- Dates and times of access and reviews by each custodian.
- How and by whom the records were retrieved.
- The manner of copies produced.
- Any transfers of the records.

This requirement for certified copies and chain of custody documentation is supported by Section 901 of the RTKL.

Please provide the requested records within 5 business days, as stipulated under Section 901. I am willing to pay reasonable fees up to \$100 associated with this request. Please notify me regarding any estimated fees over \$100.

Thank you for your prompt attention to this matter. I look forward to your timely response.

Regards,

Michael Long